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10/632,047

07/31/2003

Paul Atkinson

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65502

7590

11/15/2006

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EXAMINER

BROWN, VERNAL U

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/632,047

Applicant(s)

ATKINSON, PAUL

Examiner

Vernal U. Brown

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5,9-11,13,14,19 and 22-79 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,9-11,13,15,19,22,23,26 -79 is/are rejected.
- 7) ☒ Claim(s) 14,24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

The application of Paul Atkinson for Wireless Activation System and Method filed 7/31/03 Sugura Asakura et al. has been examined. Claims 1-5, 9-11, 13-14, 19, and 22-79 are pending.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 9-10, 26, 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Solomon et al. US patent 7127066.

Regarding claim 9, Solomon teaches controlling access to the content of an optical media comprising:

emitting and activation signal in the form of laser light to alter the optical property of photosensitive dye placed on the optical disc by causing the photosensitive marking on the optical media to go from opaque to transparent and enable the reading of the optical disc (col. 12 lines 2 lines 2-5, col. 16 lines 4-15). The proximate device is provided by the laser reader (col. 13 lines 59-60).

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Regarding claims 10 and 32, Solomon teaches the laser is use to alter the optical property of photosensitive dye placed on the optical disc by causing the photosensitive marking on the optical media to go from opaque to transparent and enable the reading of the optical disc (col. 12 lines 2 lines 2-5, col. 16 lines 4-15). Solomon et al. also teaches the laser is controlled by computer (200) (col. 10 lines 27-29). The computer is considered the communication device, thus the activation signal is transmitted from the communication device.

Regarding claim 26, Solomon teaches obtaining an optical media ID (control key) from the optical media (col. 16 lines 9-12) and generating an activation signal based on optical media ID (col. 13 lines 59-65).

Claims 11, 19 and 33-36, 38-41, 43, 45, 52-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Selinfreud et al. US Patent Application Publication 20050083829.

Regarding claim 11, Selinfreud et al. teaches an activation device (1) configured to cause an electrical signal to be applied to a target (2) in response to an activation signal provided by the unique code and the read instruction from the provider (5) which forms the third party and the target is activated by enabling the reader to read the optical media (paragraph 44, 78). The activation device apparatus also include a communication device because it communicates with the data provider using wireless means (paragraph 045).

Regarding claim 19, Selinfreud et al. teaches a method of activating an optical media for storing information comprising:

Obtaining a user ID to determine whether the user is authorized to operate the optical media and determining the activation signal (the enablement of data to be written to the optical media ) based on the optical media ID (paragraph 078). Selinfreud et al. teaches transmitting

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the activation signal (read instruction from the data provider) to the input interface provided by the data processing apparatus (paragraph 078-079). The storing of data on the optical media inherently alters the optical property of the optical media because the light reflected when data is stored on the optical media is different when no data is stored on the optical media.

Regarding claims 33-36, Selinfreund et al. teaches communicating with the third party, which is the data provider and teaches a wireless means for communicating with the data provider (paragraph 045) and the data provider provides the reading instruction (activation signal) for enabling the reading of the optical media (paragraph 078).

Regarding claim 38, Selinfreund et al. teaches a communication device transmitting a request to a data provider (third party) for determining the authorization to access the optical media and base on the identification code received at the data provider the activation signal in the form of dataset or the special code for enabling the reading of the optical media (paragraph 078-079).

Regarding claim 39, Selinfreund et al. teaches an activation device (1) configured to cause an electrical signal to be applied to a target (2) in response to an activation signal provided by the unique code and the read instruction from the provider (5) which forms the third party and the target is activated by enabling the reader to read the optical media (paragraph 44, 78). The activation device apparatus also include a communication device because it communicates with the data provider using wireless means (paragraph 045).

Regarding claim 40, Selinfreund et al. teaches the target (optical reader) includes an input interface for receiving the data to be written to the optical media (paragraph 079) the optical

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reader inherently includes an electro-optic material for enabling the reading/writing of the optical media.

Regarding claim 41, Selinfreund et al. teaches integrating the system into a single DVD player (paragraph 044), thus the input interface is proximate to the Optical media.

Regarding claim 43, Selinfreund et al. teaches an input interface provided by the data processing apparatus (1) for communicating with data provider using wireless means (paragraph 045) and the data processing apparatus receiving a wireless activation signal provided by the unique code and the read instruction from the provider (5) which enables the reader to read the optical media (paragraph 44, 78). Selinfreund et al. teaches input interface is connected to the target (figure 1).

Regarding claim 45, Selinfreund et al. teaches activating a compact disc by enabling access to the disc (paragraph 78).

Regarding claims 52 and 55, Selinfreund et al. teaches an input interface provided by the data processing apparatus (1) for communicating with data provider (network operation center) (paragraph 045) and the data processing apparatus receiving the activation signal provided by the unique code and the read instruction from the provider (5) which enables the reader to read the optical media (paragraph 44, 78). Selinfreund et al. teaches input interface is connected to the target (figure 1).

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Regarding claim 53, Selinfreund et al. teaches target verifies if the activation device is an authorized activation device based on the unique data provided by the activation device (data processing apparatus) to the target device (reader) (paragraph 079).

Regarding claim 54, Selinfreund et al. teaches the remote operation center verifies if the activation device is an authorized activation device by the activation device transmitting a unique code to the data provider (operation center) and base on the code the data provider transmits a unique dataset to the activation device (paragraph 078-079).

Claims 46-50, 68-72 are rejected under 35 U.S.C. 102(e) as being anticipated by Fayed et al. US patent Application Publication 20030028787.

Regarding claim 46, Fayed et al. teaches a transceiver (154) configured to establish communication with the optical media device when the optical media device is in proximity with the activation device (158) (paragraph 018). Fayed et al. teaches a signal source (180) communicatively coupled to the transceiver via the reader (figure 1) and the computer, which provides an activation signal by authenticating reading of the optical device (paragraph 034-035). The altering of the perceptibility of the content of the optical media is interpreted as permitting the software from the optical media to be downloaded based on the result of the authentication process (paragraph 035).

Regarding claim 47, Fayed et al. teaches the optical media is inserted into the optical reader (paragraph 034). The optical media is therefore physically coupled to the activation device (reader).

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Regarding claim 48, Fayed et al. teaches the optical media (152) is different (separate) from the activation device (158) as shown in figure 3.

Regarding claims 49-50, Fayed et al. teaches the reader (activation device) obtaining identification information from the optical media and transmit the information to the computer (paragraph 028). The communication path is provided by the connection between the reader and the computer (figure 3).

Regarding claims 68-69 and 72, Fayed et al. teaches a first interface provided by a transponder for wirelessly interrogate an optical media and obtain an optical ID (paragraph 018) and a second communication interface provided by electro-optical module 161 for reading a DVD (paragraph 030). An optical media such as a DVD is inherently read by reflecting light from the optical media.

Regarding claims 70-71, Fayed et al. teaches an electro-optical module (161) for reading and writing data to the optical media (paragraph 030), which is the optical sensor.

Claims 57-58, 60-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Safa US Patent Application Publication 20020010864.

Regarding claim 57, Safa teaches receiving an activation request from a local target (first computer) and the activation request includes fingerprint identification information (paragraph 06, 012). Safa teaches the fingerprint information uniquely identifies the first computer (paragraph 012). Safa teaches a second computer that represents the network operation center receiving the activation request (paragraph 05) and teaches verifying the target identification at the second computer (network operation center) (paragraph 017). Safa also teaches sending an



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activation signal from the network operation center to the local target (first computer) to activate the target by authorizing the transaction if the target identification is acceptable (paragraph 040).

Regarding claim 58, Safa teaches encrypting the target request information (paragraph 02).

Regarding claims 60-63, Safa teaches an activation device (16) receiving a target identification (fingerprint information) and generate an activation request (transaction request) and the network operation center (14) receives the activation request from the activation device and provide the activation signal by authorizing the transaction request and the activation signal is transmitted to the target device by downloading the data to be processed to the target device (12) (paragraph 031, 036).

Regarding claims 64-65, Safa teaches the activation device (16) and the operation center (14) communication communicating wirelessly with each other (paragraph 031), which inherently include a communication device.

Regarding claim 66, Safa teaches the activation device communicates wirelessly with the target (paragraph 031).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-3, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Partridge, III US Patent 5608778 in view of Shaper et al. US Patent Application Publication 20020009296.

Regarding claim 1, Partridge, III teaches a method of activating a target in the form of a garage door opener, the method comprising:

determining whether the user is authorized to activate the target by verifying the transaction password entered by the user (col. 7 lines 45-52);

generating an activation signal based on the determination and wirelessly transmitting the wireless activation signal from a third party (base station) to the activation device (garage door opener) and alter a physical property by opening the garage door (col. 7 lines 53-59). Partridge, III is however silent on teaching transmitting the activation signal to the communication device. Shaper et al. in an art related remote control system teaches a transceiver unit sending an activation signal represented by a confirmation signal to the sending unit when the transceiver detects and decode a valid command (paragraph 027).

It would have been obvious to one of ordinary skill in the art to transmit the activation signal to the remote control unit in Partridge, III because this serves the purpose of informing the remote unit (cell phone) that the command and password transmitted from the cell phone was received and decoded correctly.

Regarding claims 2 -3, Partridge, III teaches manually entering the ID at the cell phone (col. 7 lines 45-53).

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Regarding claim 23, Partridge, III teaches the communication device (10) is separate from the activation device (16) and the activation device and the communication device is communicatively link through the home base controller (figure 7).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patridge, III US Patent 5608778 in view of Shaper et al. US Patent Application Publication 20020009296 and further in view of Liddell US Patent 3883736.

Regarding claim 4, Patridge, III teaches transmitting a wireless signal to the activation device (col. 7 lines 53-59) but is silent on teaching the wireless signal is an acoustic signal. Liddell in an art related remote control unit invention teaches the use of acoustic wireless signal in a remote control system (col. 1 lines 11-15).

It would have been obvious to one of ordinary skill in the art to transmit an acoustic signal to the activation device because acoustic signals are used as an alternative to other form of wireless signal to transmit remote control signal to tan activation device.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patridge, III US Patent 5608778 in view of Shaper et al. US Patent Application Publication 20020009296 in view of Liddell US Patent 3883736 and further in view of Mogi et al. US Patent 3893074.

Regarding claim 5, Patridge, III teaches the communication device is a phone (col. 7 lines 45-52) but is silent on teaching the activation signal is transmitted from a speaker of the phone to a microphone of the activation device. Mogi et al. teaches activation signal (remote control signal) is transmitted from a speaker of the phone to a microphone of the activation device (col. 2 lines 56-60).

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It would have been obvious to one of ordinary skill in the art to transmit an acoustic signal to the activation device and the activation signal is transmitted from a speaker of the phone to a microphone of the activation device because acoustic signals are used as an alternative to other form of wireless signal to transmit remote control signal to the activation device. The speaker provides a suitable transmitter for the acoustic signal and microphone provides the transducer for converting the acoustic signal into an electrical signal for controlling the device.

Claims 27-29, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solomon et al. US patent 7127066 in view of Selinfreund et al. US Patent Application Publication 20050083829.

Regarding claims 27-29, Solomon teaches obtaining an optical media ID (control key) from the optical media (col. 16 lines 9-12) and generating an activation signal based on optical media ID (col. 13 lines 59-65) but is silent on teaching transmitting the optical media ID to a network operation center which generates the activation signal in response to the optical media ID. Selinfreund et al. in an art related access controlled storage media teaches transmitting the optical media ID to a network operation center which generates the activation signal for allowing access to the optical media in response to the optical media ID (paragraph 078) and also teaches encrypting the optical media ID (paragraph 029).

It would have been obvious to one of ordinary skill in the art to modify the system of Solomon as disclosed by Selinfreund et al. because this provides a central location for storing the authentication data and enhances the security of the activation system.

Regarding claim 31, Solomon et al. teaches emitting an activation signal in the form of laser light to alter the optical property of photosensitive dye placed on the optical disc by causing

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the photosensitive marking on the optical media to go from opaque to transparent and enable the reading of the optical disc (col. 12 lines 2 lines 2-5, col. 16 lines 4-15) but is silent on teaching the activation signal is wirelessly transmitted to the optical media. Selinfreund et al. in an art related access controlled storage media teaches a wireless means for communicating with the data provider (paragraph 045) and the data provider provides the reading instruction (activation signal) for enabling the reading of the optical media (paragraph 078).

It would have been obvious to one of ordinary skill in the art to modify the system of Solomon as disclosed by Selinfreund et al. because the wireless communication means provides an alternative to the wired communication means as disclosed by Selinfreund et al. (paragraph 045).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Selinfreund et al. US Patent Application Publication 20050083829 in view of Conroy et al. US Patent Application Publication 20040121268.

Regarding claim 13, Selinfreund et al. teaches the use of an optical material to control access to the optical disc (paragraph 087) but is silent on teaching the optical media comprises a liquid crystal material. Conroy et al. in an art related optical media invention teaches the use of liquid crystal material to control access to the data stored on the optical media (paragraph 0418).

It would have been obvious to one of ordinary skill in the art to modify the optical medium of Selinfreund et al. as disclosed by Conroy et al. because the liquid crystal provides a programmable medium by which each optical medium can have it unique markings.

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Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patridge, III US Patent 5608778 in view of Shaper et al. US Patent Application Publication 20020009296 and further in view of Selinfreund et al. US Patent Application Publication 20050083829.

Regarding claim 22, Patridge, III teaches an activation device (garage door opener) and a communication device (cell phone) (see response to claim 1) but is silent on teaching the activation device and the communication device is part of a single integrated device. Selinfreund et al. in an art related remote activation system teaches the activation device (1), which activate a target device by enabling the operation of the media reader (paragraph 44, 78). The activation device as disclosed by Selinfreund et al. also include a communication device because the apparatus communicates with the data provider using communication means (paragraph 045). The activation device and the communication device is therefore integrated into a single device.

It would have been obvious to one of ordinary skill in the art to modify the system of Patridge, III in view of Shaper et al. as disclosed by Selinfreund et al. because it is more cost effective to integrate the activation device and the communication device into a single package.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Solomon et al. US patent 7127066 in view of Selinfreund et al. US Patent Application Publication 20050083829 and further in view of Takamatsu US patent 6067028.

Regarding claim 30, Solomon et al. in view of Selinfreund et al. teaches generating the activation signal for allowing access to the optical media in response to the optical media ID and transmitting the activation signal over the network (see response to claim 29) but is silent on teaching encrypting the activation signal. Takamatsu in an art related security system teaches

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encrypting a control signal before (col. 2 lines 50-60) in order to increase the security of the system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Solomon et al. in view of Selinfreund et al. because encrypting the activation signal increases the security of the system by decreasing the possibility of activating the device based on a false activation signal.

Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Selinfreund et al. US Patent Application Publication 20050083829 in view of Takamatsu US Patent 6067028.

Regarding claim 37, Selinfreund et al. teaches generating the activation signal for allowing access to the optical media in response to the optical media ID and transmitting the activation signal over the network (see response to claim 11) but is silent on teaching encrypting the activation signal. Takamatsu in an art related security system teaches encrypting a control signal before (col. 2 lines 50-60) in order to increase the security of the system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Selinfreund et al. as disclosed by Takamatsu because encrypting the activation signal increases the security of the system by decreasing the possibility of activating the device based on a false activation signal.

Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Selinfreund et al. US Patent Application Publication 20050083829 in view of Fayed et al. US Patent Application Publication 20030028787.

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Regarding claim 42, Selinfreund et al. teaches writing information to the optical media (paragraph 026) but is silent on teaching the input interface is embedded in the optical media. Fayed et al. in an art related optical media invention teaches an interface provided by a transponder imbedded in an optical media (paragraph 004).

It would have been obvious to one of ordinary skill in the art to modify the system of Selinfreund et al. as disclosed by Fayed et al. because a transponder provides a cost effective means for storing data and allow the stored data to be easily retrieved.

Claims 44 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Selinfreund et al. US Patent Application Publication 20050083829 in view of Kitagawa US Patent 6496406.

Regarding claims 44 and 56, Selinfreund et al. teaches the input interface to the target (optical reader) is provided by a computer (paragraph 043) but is silent on teaching an electrical storage device for powering the interface device. Kitagawa in an art related optical disk management system teaches a computer operated by an electrical storage device in the form of a battery (col. 6 lines 30-33).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Selinfreund et al. as disclosed by Kitagawa because this allows the system to be operated in areas where there is no AC power supply.

Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fayed et al. US Patent Application Publication 20030028787 in view of Takamatsu US Patent 6067028.



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Regarding claim 51, Fayed et al. teaches generating the activation signal for allowing access to the optical media (see response to claim 46) but is silent on teaching encrypting the activation signal. Takamatsu in an art related security system teaches encrypting a control signal before (col. 2 lines 50-60) in order to increase the security of the system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Fayed et al. because encrypting the activation signal increases the security of the system by decreasing the possibility of activating the device based on a false activation signal.

Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safa US Patent Application 20020010864 in view of Takamatsu US Patent 6067028 .

Regarding claim 59, Safa teaches generating the activation signal for allowing access to the optical media (paragraph 040) but is silent on teaching encrypting the activation signal. Takamatsu in an art related security system teaches encrypting a control signal before (col. 2 lines 50-60) in order to increase the security of the system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Safa because encrypting the activation signal increases the security of the system by decreasing the possibility of activating the device based on a false activation signal.

Claim 67 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safa US Patent Application 20020010864 in view of Selinfreund et al. US Patent Application Publication 20050083829.

Regarding claim 67, Safa teaches an activation device (16) transmitting activation signal by downloading the data to be processed to the target device (12) (paragraph 036) but is silent on teaching the activation device is physically coupled to the target device. Selinfreund et al. in an art related remote activation system teaches an activation device (1) activating a target device (2) for reading/writing an optical media and also teaches the activating device and the target device is physically connected by integrating the activation device and the target device into a single DVD player (paragraph 044).

It would have been obvious to one of ordinary skill in the art to modify the system of Safa as disclosed by Selinfreund et al. because physically coupling the target device to the activation device serves the purpose of rendering the system more convenient for use.

Claims 73 and 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fayed US Patent Application 20030028787 in view of Davis et al. US Patent 6298336.

Regarding claims 73 and 79, Fayed et al. teaches embedding an optical media ID in an optical media, transmitting the optical media ID upon interrogation (paragraph 018) and receiving activation signal that allow access to the content stored in the optical media by allowing the software from the optical media to be downloaded based on the result of the authentication process (paragraph 035). Fayed et al. is silent on teaching the security code is encrypted. Davis et al. in an art related card activation system teaches encrypting the security code (col. 8 lines 14-35).

It would have been obvious to one of ordinary skill in the art to modify the system of Fayed et al. as disclosed by Davis et al. because the encryption of the security code increases the

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security of the system by disabling readers without the proper decrypting tool from obtaining the security code.

Claims 74-78 rejected under 35 U.S.C. 103(a) as being unpatentable over Fayed US Patent Application 20030028787 in view of Davis et al. US Patent 6298336 and further in view of Selinfreund et al. US Patent Application Publication 20050083829.

Regarding claims 74-78, Fayed et al. teaches embedding an optical media ID in an optical media, transmitting the optical media ID upon interrogation (paragraph 018) and also teaches transmitting the activation signals in the form of the data to be written to the optical media (paragraph 079) but is silent on teaching transmitting the optical media ID to a network operation center and the security code is encrypted. Davis et al. in an art related card activation system teaches encrypting the security code (col. 8 lines 14-35). Selinfreund et al. in an art related access controlled media device teaches an activation device (1) transmitting the optical media ID to a network operation center (5) for authentication (paragraph 078) and also teaches decrypting the activation signal (data to be stored on the optical media) before the data is transmitted to the optical media (paragraph 082).

It would have been obvious to one of ordinary skill in the art to modify the system of Fayed et al. in view of Davis et al. as disclosed by Selinfreund et al. because transmitting the optical media ID to a network operation center provides a central location for the authentication of the optical media and provides a more manageable system and the encryption of the optical media ID increases the security of the system.

*Allowable Subject Matter*

Claims 14 and 24-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 14 and 24-25, the prior art of record fail to teach or suggests the activation device is part of a sticker disposed proximate to the optical media and in communication with the communication device and removing a sticker from the target alters at least one physical, optical or electrical property.


*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Vernal Brown  
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